

1895

Virginia Lee County Court

To the worshipful Justices of the Lee County Court in chancery sitting, your orator Eudimilian Banks, respectfully represents to your worships previous to the 1st day of March 1861, Ezekiel P Hobbs, was indebted to George Ashury in sum of one hundred and eighty six and said six cents for which he executed to the said George Ashury his promissory note, by which he promised to pay said Ashury said sum of money on the 1st day of March 1861, he subscribed his name to said promissory note and delivered it to said George Ashury, your orator further represents, that afterwards the said George Ashury assigned said note & delivered it to William A Tuttle, and said William A Tuttle assigned said note to your orator, and your orator represents, that on the 29th day of February 1865 the said Ezekiel P Hobbs paid on the said note \$50, which was credited on the same, he never did pay to George Ashury or William A Tuttle or to your orator any other or further sum on said note, but the whole of the rest & residue of said note is unpaid, and is now due and owing by the said Hobbs to your orator, the note is lost, and cannot be filed in this cause.

And your orator further represents, that the said Ezekiel P Hobbs, he resides in the State of Tennessee, and your orator charges that the said Ezekiel P Hobbs has debts due him in this county, one ^{Dixon S.} ~~Richard~~ Linton, who resides in Lee County, in the State of Virginia owes the said Ezekiel P Hobbs a debt of \$400 or \$500, which is now

due and payable, your orator is remedied at the
common Law, and can only obtain relief in this
honorable Court, wherefore he prays your worshipps to
at him relief, he prays for a decree setting up
establishing said lost promisory note, against
said Hobbs, and for a decree against him
for the principal and interest due thereon, and
for an attachment against the estate of the
said Hobbs, and that the debt that said Richard
Scitton owes him, or so much thereof as will be
sufficient to pay your orators debt interest and
the costs of this suit be attached in the hands
of said Scitton, and he be restrained from
paying it to said Hobbs or any one else until
the matters of your orators complaint herein can
be fully heard in your honorable Court, and so
your worshipps to order and decree the said
Scitton to pay to your orator so much of the
debt he owes to said Hobbs, as will be sufficient
to pay your orators debt the interest that has & may
hereafter accrue thereon, and the costs of this suit
He prays for all such other and further relief, as
may appear proper to be granted to him in
a Court of Chancery, to that end therefore he
makes Gabriel P Hobbs, and ^{Richard} ~~Richard~~ Scitton
parties to the Bill as he has the
they be come to the Court
to the usages & practice of a Court of Chancery
and may it please your worshipps to award
the commandment writ of Subpoena against
the defendants, commanding &c, and as in duty
bound, your orator will ever pray &c.

Burns P 9

Hobbs & Co

Exp. Paid M.

Dr. Cash

1869 June 1. P. 100.00

July - Cont for Pub.

Aug. Cont for Sun

Sept. Pub. complete and a

Nov. as to Hobbs & Cont.

Oct. Dec. Nov. Cont for

to Hobbs & Continued

Nov. & Dec. Continued

1870 Jan. Feb. March Cont.

April May June July Aug.

Sept. Oct. Nov. Dec. Cont.

1870 Jan. Feb. March April

" May June July Aug.

Sept. Oct. Hobbs

June Continued

July Dismissed by Ref.

Virginia Lee County Court
 Casmillian Banks complainant
 against
 Ezekiel P. Hobbs &
 Dixon S. Linton defendants

affidavit

Wm H Burns attorney, and agent of the complainant Casmillian Banks, states that the complainant's claim is to recover \$188.05 with interest from the 1st of March 1861 until paid, subject to a credit of \$50, paid the 29th day of Feb'y 1865, that he believes the said claim is just, and that there is present cause of action therefor, and that he believes the defendant Ezekiel P Hobbs has debts due him from his codefendant Dixon S. Linton, who is sued with him and resides in the county of Lee in the state of Virginia.

Wm H Burns

Shown to before me by the complainant's attorney & agent Wm H Burns the 29th day of May 1868.
 Henry J. Morgan, C. C.

Lee County Virginia

Wm H Burns makes oath & states that Ezekiel P Hobbs, one of the defendants in the case of Casmillian Banks vs Ezekiel P Hobbs & Dixon S Linton, is not a resident of the state of Virginia.

Wm H Burns

Shown to before me by Wm H Burns the 29th day of May 1868.
 Henry J. Morgan, C. C.

C. Hanks
NS \rightarrow affidavits
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E. P. Hobbs & D. S. Lutton

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Ezekiel P. Hobbs and Dixon S. Linton

Justices of our county
to appear before the ~~Judge of our Circuit~~ Court for Lee county, at the Court House,
in the Clerk's office, at Rules to be holden for the said Court, on the *first* Monday
in *July* next, to answer *a bill in chancery, exhibited in*
our said Court against them by Edmund M. Hanks

And have then there this writ. WITNESS, HENRY J. MORGAN, Clerk of our said
Court, at the Court House, this *29th* day of *May* 186*8*, in
the *92nd* year of the Commonwealth.

Henry J. Morgan Clerk.

Attest Henry J. Morgan C.C.

Proper affidavit having been made before me, The officer serving
this process is ordered to attach the debt alleged to be due or to become
due to the defendant Ezekiel P. Hobbs from the defendant Decker S.
Sutton, and to hold the same subject to the future order of
the court.

Henry Morgan C.B.

A Copy Teste

Henry Morgan C.B.

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Ezekiel P. Hobbs and Dixon S. Linton

Justices of our county
to appear before the ~~Judge of our Circuit~~ Court for Lee county, at the Court House,
in the Clerk's office, at Rules to be holden for the said Court, on the *first* Monday
in *July* next, to answer *a bill in chancery exhibited*
in our said court against them by Lee & William M. Hawks

And have then there this writ. WITNESS, HENRY J. MORGAN, Clerk of our said
Court, at the Court House, this *29th* day of *May* 186*8*, in
the *92d* year of the Commonwealth.

Henry J. Morgan Clerk.

Proper affidavit having been made before me, The Officer
 Seizing this process, is ordered to attach the debt alleged to be
 due ^{or by the same debt} to the defendant to wit P. Hobbs from the defendant to wit
 S. Bittore and to hold the same subject to the future order
 of the court.

Henry J. Morgan

Condition No. 1

1. 2. Specimen by both attorneys

George P. Hobbs & Co

Henry Hobbs & Co

Not Executed.

Wm. S. G. Co.

The bill

VIRGINIA :

WASHINGTON COUNTY, TO WIT :

I do hereby certify that the annexed Notice has been published
four weeks successively, ending *July 10th* 1868,
in the "ABINGDON VIRGINIAN," a newspaper published in the
town of Abingdon, Va. Given under my hand this *22nd*
day of *July*, 1868

Geo. R. Barr,
Jr. Ed. "Virginian"

VIRGINIA:—At Rules held in the Clerk's office of the County Court of Lee county, on Monday, the 1st day of June, 1868:

Cudmellain M. Hanks,

Plaintiff,

AGAINST

Ezekiel P. Hobbs and Dixon S. Litton, Defts.

IN CHANCERY.

The object of this suit is to recover of the defendant Hobbs \$188.05, with interest from the 1st day of March, 1861, subject to a credit of \$50, paid February 29, 1865, and to subject to the payment thereof, a debt due from defendant Litton to the defendant Hobbs, which has been attached for the purpose: And it appearing from an affidavit filed in the cause, that the defendant E. R. Hobbs is a non-resident of this Commonwealth, he is therefore ordered to appear here within one month after due publication of this order, to do what is necessary to protect his interest in this suit.

A Copy.—Teste,

HENRY J. MORGAN, Clk.

June 19, 1868—4w

C. M. Hanks

85
88
94
30
150

467